

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Consent Item:

Request from the Webster County Board of Education for a waiver of 704 KAR 3:410, Section 7, Personnel, for lead teacher requirements for the preschool education program for four (4) year old children

Applicable Statute or Regulation:

KRS 157.3175; 704 KAR 3:410, Section 7; 16 KAR 2:040

Action Question:

Should the Kentucky Board of Education (KBE) grant the request by the Webster County Board of Education for a two-year waiver of 704 KAR 3:410, Section 7?

History/Background:

Existing Policy. KRS 156.160 (2) provides that upon the request of a local board of education or school council through the local superintendent, the KBE may waive one of its regulations when circumstances are demonstrated that may include the following:

- An alternative approach will achieve the same result required by the regulation;
- Implementation of the regulation will cause a hardship on the school district or school or jeopardize the continuation or development of programs; or
- There is a finding of good cause for the waiver.

In 1990, KRS 157.3175 established Kentucky's preschool education program and required the promulgation of administrative regulations to establish eligibility criteria, program guidelines, and standards for personnel. At that time, no early childhood teaching certificate existed in the state of Kentucky and regulations allowed hiring three levels of preschool teachers until a certification program could be developed and begin to graduate appropriately certified classroom teachers.

Districts could hire:

- Level I – Personnel with a baccalaureate or higher degree in child development, early childhood education or early childhood special education, kindergarten, special education certification valid for primary grades and a master's degree, bachelor's degree or licensure in communication disorders, speech and language or speech pathology.
- Level II – Personnel with a minimum of one year of early childhood training or experience and a degree in family studies, social work, psychology, nursing or other related area including education not specified under Level I.

- Level III – Personnel supervised by Level I preschool instructional personnel or by local school district staff who directed special education or kindergarten programs. Personnel included individuals with the following: an associate (AA) degree in early childhood; a child development associate credential (CDA), completion of a vocational child care worker training program; or a high school diploma or GED and minimum of one (1) year early childhood training or experience.

In 1995, 16 KAR 2:040 established the Interdisciplinary Early Childhood Education (IECE) certification. The Kentucky Department of Education worked closely with all eight state-supported universities to implement the IECE program. The intent has always been to have certified teachers as lead teachers in preschool classrooms.

In 1999, the KBE promulgated the current regulation, which included a gradual phase-in of newly hired teachers and the certification requirements. The specifics of this regulatory change were:

- In 2002-2003, all teachers were required to have the correct in-field credentials. This phase eliminated the out-of-field or Level II teachers, unless the Level II teachers hold a letter of exemption, granted by the Educational Professional Standards Board (EPSB) between 1998-2002.
- Beginning 2004-2005, all teachers hired into vacated positions were required to hold the IECE certification.
- Teachers with a Child Development Associate credential or an Associate of Arts degree in early childhood were allowed to remain in their current position but could not be hired by another district as a lead preschool teacher.

Implementation of the current regulation requires that all school districts move toward having IECE certified lead teachers in each preschool classroom, but allows current staff to remain in positions (grandfathering). As lead teachers with a Child Development Associate (CDA) credential or Associate of Arts (AA) degree leave the program, newly hired lead teachers must hold the IECE certification. This allows districts to make a gradual transition. In the 2006-2007 school year, 49% of Kentucky's preschool teachers hold IECE certification.

Policy Issue(s) and Options:

Webster County Board of Education (WCBE) has submitted a request for a two-year waiver from the requirement of 704 KAR 3:410, Section 7 (See Attachments A through G – correspondence from WCPS, Audubon Area Head Start and Madisonville Community College). Beginning 2007-2008, Webster County Public School District will merge with Providence Independent School District and all programs in Providence will be moved under the jurisdiction of WCBE.

Webster County Public Schools has always operated a blended preschool program with Audubon Area Head Start (AAHS), which means that program efforts are combined at the classroom level to enroll both federal Head Start and state funded preschool children in the same classroom while maintaining separate funding streams. The Webster County

Preschool/Head Start teachers who did not hold the IECE certification were allowed to continue in 2002-2003 per 704 KAR 3:410, Section 7. The IECE certification requirement for lead preschool teachers became effective in the fall of 2004 and these teachers were allowed to remain in their positions as lead teachers (grandfathered).

Providence Independent School District (PISD), on the other hand, has always collaborated with Audubon Area Head Start (AAHS) to serve eligible four-year old children; however, they are not blended and each program implements a separate classroom. The Head Start teacher has an associate's degree in early childhood, which is the current requirement for Head Start and the PISD preschool teacher holds an emergency Interdisciplinary Early Childhood Education certification (IECE). If the Providence Head Start teacher had taught in Webster County in the blended Preschool/Head Start classroom, she, too, would have been exempted from the regulation in 2004. However, because of the merger, the Providence Head Start teacher cannot continue to hold the lead teacher position because she will be considered a "newly hired" teacher in Webster County and regulations require that all newly hired preschool lead teachers must hold the IECE certificate. In blended Preschool/Head Start programs, the higher standards apply.

Webster County Board of Education is requesting a 2-year waiver of the requirement to hire an IECE teacher to allow the Head Start teacher to complete the IECE certification program.

Staff Recommendation(s) and Rationale(s):

There is good cause for the 2-year waiver request due to the merger of the two school districts and the fact that the teacher is currently enrolled in a program leading to an IECE certification. KDE staff recommends that the Kentucky Board of Education grant this waiver request.

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